
By: **Senator Stone (Chairman, Ethics and Election Law Subcommittee)**

Introduced and read first time: January 29, 2003

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Campaign Finance - Disqualification of Individuals to File**
3 **For or Assume Office**

4 FOR the purpose of providing that certain individuals who are either responsible
5 officers of or candidates supported by certain campaign finance entities with
6 certain delinquencies may not become campaign treasurers, file for candidacy,
7 assume public or party offices in the State, or receive certain compensation;
8 providing that certain officials may not issue commissions or administer oaths
9 of office until they receive a certain certification from the State Board of
10 Elections; repealing a certain time limitation relating to certain
11 disqualifications; and generally relating to campaign finance and the
12 disqualification of certain individuals to file for or assume certain offices.

13 BY repealing

14 Article - Election Law
15 Section 13-332 and 13-333
16 Annotated Code of Maryland
17 (2003 Volume)

18 BY adding to

19 Article - Election Law
20 Section 13-332
21 Annotated Code of Maryland
22 (2003 Volume)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article - Election Law**

26 [13-332.

27 An individual may not become a candidate for any public or party office in this
28 State or become a treasurer for a campaign finance entity if, as to any campaign

1 finance report due under § 13-304 of this subtitle from, or on behalf of, that
2 individual during the preceding five calendar years:

- 3 (1) there exists a failure to file as specified in § 13-327 of this subtitle; or
4 (2) the individual has failed to pay a late filing fee that is due.]

5 [13-333.

6 (a) An individual who, within the meaning of § 13-327 of this subtitle, has
7 failed to file a campaign finance report that is due from, or on behalf of, that
8 individual, may not, until the individual corrects the failure to file:

- 9 (1) be deemed to be elected to a public or party office in this State;
10 (2) take the oath or otherwise assume the duties of the office; or
11 (3) receive any salary or compensation for the office.

12 (b) An official of the State or any of its political subdivisions may not issue a
13 commission or administer an oath of office to an individual until that official receives
14 certification from the State Board that all campaign finance reports due under §
15 13-304 of this subtitle from, or on behalf of, that individual have been filed.]

16 13-332.

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
18 INDICATED.

19 (2) "DELINQUENT CAMPAIGN FINANCE ENTITY" MEANS A CAMPAIGN
20 FINANCE ENTITY FOR WHICH:

21 (I) THERE EXISTS A FAILURE TO FILE A CAMPAIGN FINANCE
22 REPORT DUE UNDER THIS SUBTITLE; OR

23 (II) A RESPONSIBLE OFFICER HAS FAILED TO PAY A LATE FEE.

24 (3) "DISQUALIFIED INDIVIDUAL" MEANS AN INDIVIDUAL WHO IS:

25 (I) A RESPONSIBLE OFFICER WHO FAILED TO FILE A CAMPAIGN
26 FINANCE REPORT DUE UNDER THIS SUBTITLE OR FAILED TO PAY A LATE FEE; OR

27 (II) A CANDIDATE WHOSE PERSONAL TREASURER OR AUTHORIZED
28 CANDIDATE CAMPAIGN COMMITTEE IS A DELINQUENT CAMPAIGN FINANCE ENTITY.

29 (B) A DISQUALIFIED INDIVIDUAL MAY NOT:

30 (1) BECOME A CANDIDATE FOR A PUBLIC OR PARTY OFFICE IN THE
31 STATE;

32 (2) BECOME A TREASURER FOR A CAMPAIGN FINANCE ENTITY;

1 (3) BE DEEMED TO BE ELECTED TO A PUBLIC OR PARTY OFFICE IN THE
2 STATE; OR

3 (4) TAKE THE OATH OR OTHERWISE ASSUME THE DUTIES OF A PUBLIC
4 OR PARTY OFFICE IN THE STATE OR RECEIVE A SALARY OR COMPENSATION FOR THE
5 OFFICE.

6 (C) AN OFFICIAL OF THE STATE OR ANY OF ITS POLITICAL SUBDIVISIONS MAY
7 NOT ISSUE A COMMISSION OR ADMINISTER AN OATH OF OFFICE UNTIL THE
8 OFFICIAL RECEIVES CERTIFICATION FROM THE STATE BOARD THAT THE
9 INDIVIDUAL WHO IS TO RECEIVE THE COMMISSION OR TAKE THE OATH OF OFFICE IS
10 NOT A DISQUALIFIED INDIVIDUAL.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2003.